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MAILED
APR 19 2006
TECHNOLOGY CENTER 2100

In re Application of:
Jacek P. WYSOCZYNSKI
Application No. 09/752,248
Filed: February 27, 2000
For: IMAGE RESTORATION AND
RECONFIGURATION SUPPORT FOR
CRASHED DEVICES

DECISION ON PETITION
UNDER 37 C.F.R. § 1.181 TO
WITHDRAW HOLDING OF
ABANDONMENT

This is a decision in response to the petition filed 28 July 2005 under 37 CFR § 1.181 requesting the withdrawal of the holding of abandonment of the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to respond in a timely manner to the Office action mailed 07 October 2004. A Notice of Abandonment was mailed on 30 June 2005.

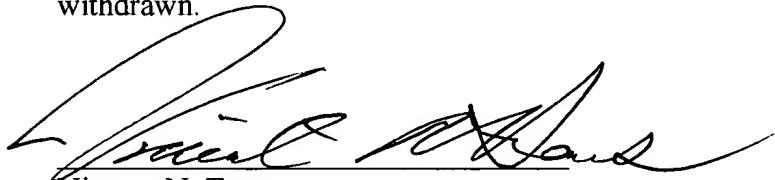
In support of the petition, petitioner provides a copy of the post card listing (1) RCE transmittal; (2) a petition for three-month extension of time; (3) a reply to the Office Action mailed 07 October 2004 and (4) Check in the amount of \$1,810. The copy of the return Acknowledgment Postcard has a USPTO stamp indicating receipt at the USPTO on 11 April 2005. Petitioner also provides copies of the items 1-4 as listed on the post card.

The original RCE, Reply to Office action and Petition for Extension of Time, acknowledged as having been received in the USPTO on 11 April 2005, are not of record in the application. However, M.P.E.P. § 503 states that "A post card receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO."

In reviewing the attached copies of the Post Card, RCE and Reply to Office action, it is noted that papers were timely filed, but with an incorrect application serial number 09/752,428. The correct application serial number should be --09/752,248--.

Under current Office procedure, a response that has an incorrect application number is handled in accordance with MPEP § 508.03. If a paper having an incorrect application number contains sufficient information to identify the correct application and was timely filed, the holding of abandonment will be withdrawn. In reviewing the papers submitted, it is concluded that the information contained thereon, includes name of the inventor, filing date of the application, title of the invention and the name of an examiner in the TC thereon which is deemed sufficient to associate the papers with the instant file.

For the above stated reasons, the petition is **GRANTED**. The Notice of Abandonment is hereby withdrawn.



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